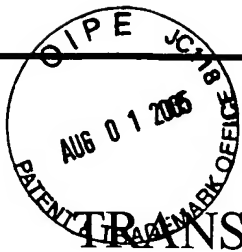


*Jfw*



# TRANSMITTAL FORM

Application Serial Number	10/689,165
Filing Date	October 20, 2003
First Named Inventor	DONALD K. SMITH
Group Art Unit	3742
Examiner Name	M. Paschall
Attorney Docket No.	ASX-015USC4
Patent No.	N/A
Issue Date	N/A

## ENCLOSURES (check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets <u>    </u> ]<br><br><input checked="" type="checkbox"/> Supplemental Information Disclosure Statement<br><input checked="" type="checkbox"/> Form PTO-1449<br><input checked="" type="checkbox"/> Copies of IDS<br><input type="checkbox"/> Citation Labeled C13<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Additional Enclosure(s) (please identify below)<br><input type="checkbox"/> |
|---|--|---|

### CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29<sup>th</sup> day of July, 2005.

*Jean Gomez*  
Jean Gomez

### CORRESPONDENCE ADDRESS

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### SIGNATURE BLOCK

Respectfully submitted,  
  
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PATENT  
Attorney Docket No. ASX-015C4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Smith et al. GROUP NO.: 3742  
SERIAL NO.: 10/689,165 EXAMINER: M. Paschall  
FILING DATE: October 20, 2003  
TITLE: TOROIDAL LOW-FIELD REACTIVE GAS SOURCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R., this statement is being filed (check one)

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a final action or notice of allowance but before the payment of the issue fee, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

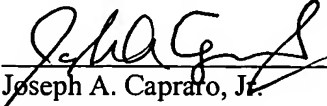
As stated in the Supplemental Information Disclosure Statements dated October 20, 2003 and January 19, 2004, related patents are the subject of a pending litigation in Delaware.

Applicants have become aware of additional patents and publication during the course of the Delaware lawsuit. These patents and publications are cited on the PTO-1449 Form.

Respectfully submitted,

Date: July 29, 2005  
Reg. No.: 36,471

Tel. No.: (617) 526-9800  
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\_\_\_\_\_  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/689,165	
			Filing Date	October 20, 2003	
			First Named Inventor	DONALD K. SMITH	
			Art Unit	3742	
			Examiner Name	M. Paschall	
Sheet	1	of	1	Attorney Docket Number	ASX-015USC4

U.S. PATENT DOCUMENTS						
Exami ner Initials'	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	A144	US- 4,680,694		07/14/1987	Huynh et al.	
	A145	US- 4,779,182		10/18/1988	Mickal et al.	
	A146	US- 5,106,827		04/21/1992	Borden et al.	
	A147	US- 5,238,532		08/24/1993	Zarowin et al.	
	A148	US- 5,285,372		02/08/1994	Huynh et al.	
	A149	US- 5,291,415		03/01/1994	Zarowin et al.	
	A150	US- 5,298,103		03/29/1994	Steinberg et al.	
	A151	US- 5,359,180		10/25/1994	Park et al.	
	A152	US- 5,376,224		12/27/1994	Zarowin	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C145	Didenko et al., "An Intense Source of Optical Emission from Electrodeless Low-Frequency Discharge in Vapors of Sulfur and Mercury," <u>Doklady Physics</u> , Vol. 45, No. 4 (2000) pp. 155-156.	
	C146	Goldsborough et al., "RF Induction Excitation of CW Visible Laser Transitions in Ionized Gases," <u>Appl. Phys. Lett.</u> , Vol. 8, No. 6 (March 15, 1966) pp. 137-139.	
	C147	Herman, "Plasma-Sprayed Coatings," <u>Scientific American</u> (September 1988) pp. 112-117.	
	C148	<u>Journal of Technical Physics</u> , Vol. 33, No. 10 (1963) pp. 1169-1172. (RUSSIAN)	
	C149	Smith, "Thin-Film Deposition: Principles and Practice," <u>McGraw Hill, Boston</u> , (1995) pp. 520-525.	
	C150	Vasil'kovskaya et al., "Some Problems of Experimental Investigation of Vortex Flows of Gas in a Cylindrical Channel and Toroidal Chamber," <u>News of the Siberian Division of the USSR Academy of Science</u> , Vol. 8, No. 2 (1982).	
	C151	Zarowin, "New Visible CW Laser Lines in Singly-Ionized Chlorine," <u>Appl. Phys. Lett.</u> , Vol. 9, No. 6 (September 15, 1966) pp. 241-242.	
	C152	Zarowin et al., "A Novel Approach to the Design of a Transistorized Inverter-Converter operating at Higher than Audio Frequencies," <u>IEEE Journal of Solid-State Circuits</u> , Vol. SC-7, No. 4 (August 1972) pp. 292-296.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.